## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RANDY LEE KINNEY,

Civil No. 3:17-cv-1635

**Plaintiff** 

(Judge Mariani)

٧.

JOHN WETZEL,

Defendant

**ORDER** 

AND NOW, this \_\_\_\_\_ day of June, 2018, for the reasons set forth in the Court's

Memorandum of the same date, IT IS HEREBY ORDERED THAT:

- 1. This action is **DISMISSED** pursuant to Federal Rule of Civil Procedure 41(b).
- 2. The Clerk of Court is directed to **CLOSE** this case.
- 3. Any appeal from this Order is **DEEMED** frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

Robert D. Mariani

**Únited States District Judge**